

**MINUTES OF COMMISSION COMBINED WORKING SESSION AND REGULAR  
SESSION MEETING HELD JULY 02, 2012, BEGINNING AT 9:00 A.M. IN  
CONFERENCE ROOM #1, IN DUCHESNE, UTAH**

***Present***

Commission Chairman Kirk J. Wood; Commissioner Kent R. Peatross, Commissioner Ron Winterton, Deputy County Attorney Marea A. Doherty, Public Works Director Glen Murphy, Emergency Management Director Mike Lefler, and Commission Assistant BobbiJo Casper taking minutes of the meeting.

***Update On Fires In Duchesne County***

*Sheriff Travis Mitchell joined the meeting at 9:03 A.M...*

Director Lefler stated that the Church Camp Fire as of this morning has burned 5,950 acres and is fifty five percent (55%) contained. He spoke to Kristi Groves with the Forest Service and Mike Ericson with the State of Utah regarding the process of transitioning when it comes to that point. One of the biggest concerns right now is the area that still has structures. They are working in an area on the north end where they will do burn outs to get more control on that side of the fire. Once they get a handle on that, they hope to put more crews inside the fire line where structures are. The concern is the safety when the evacuation order is lifted. We need local (Forest & State) fire departments to be able to coordinate the fire which would relieve the burden on any one agency. The volunteer fire departments were sent home last night, but all other crews are still there. Sheriff Mitchell stated that we will soon receive all of the data on all of the damage that has been done. We will then notify all of the landowners that have lost property. We have taken pictures that we will be able to email to owners. We have a security point during the day on the power line entrance. We will go in to make a final assessment on the damage and let owners in who have damages before anyone else. We will keep people out until it's determined that the fire is completely contained. Director Lefler stated that nobody is allowed in there without radio communication. There will be a monitoring stage that will go on all summer long. With a smaller team, we will move to the EOC Building. We will try to get awareness out, so that we don't get overwhelmed with calls when people see smoke. We will have agencies monitoring this fire for some time. When we do get a good rainstorm, there is going to be a lot of vegetation come down which will be an issue. Part of the rehabilitation process will be cutting down trees to reduce this, but the risk will be out there. Sheriff Mitchell stated that we need to decide if we will let kids in the area for camp this summer. Commissioner Peatross stated that if they do go in there, it's at their own risk.

Director Lefler reported that at the Pole Creek Fire in Neola, they are keeping a type II fire crew to keep maintaining this fire. This will leave us with another available crew. He has not been debriefed of the latest information on this fire.

***Public Works/Landfill Department Update***

*Lajeane Rasmussen joined the meeting at 9:11A.M...*

Mrs. Rasmussen stated that she stopped by to say thank you for changing the speed limit by her home in Neola from 55 to 35 MPH. It has made a huge difference. She also thanked the commission and Director Murphy for the new sidewalk and crosswalk near the Neola Elementary School.

Director Murphy stated that the Road Department is paving in Neola west of the Neola Store.

Director Murphy reported that Excavation Services is having a hard time getting the new culvert put in west of Neola. They plan on building a cone shaped apparatus to get it through.

Director Murphy stated that he received a letter from Scott Anderson letting him know

that they can move into the new cell at the landfill and that the permit will be sent soon.

***Consideration Of An Amendment To The Bailiff And Security Services Contract***

*Attorney Department Interns Dalaney and Hannah Mecham joined the meeting at 9:36 A.M...*

Sheriff Mitchell stated that this contract is a renewal of the current contract for Eighth District Court. The amount remains the same. *Commissioner Winterton motioned to approve the contract for Bailiff and Security Services in the amount of eighteen thousand six hundred dollars (\$18,600.00). Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

***Confirmation Of Enactment Of The Declaration Of The State Of Utah Forester Fire Restriction Order***

Attorney Doherty stated that this is for informational purposes. Assistant Casper posted this declaration in the county and faxed it to various entities in the county to remind everyone of the dangers. This is confirmation of enactment of the State of Utah's fire restriction order, which is a blanket ban of the use of fireworks based on the extremely high fire danger and dry conditions.

***Other Business***

*IS Department Head Kenyon Abbott joined to meeting at 9:40 A.M...*

IS Head Abbott stated that our current software no longer works on our backup system. He is looking for a new backup solution. The server to the Cloud is what's not working. He has received the following two quotes: Volcom in the amount of fifteen thousand dollars (\$15,000.00) and Falcon Store in the amount of eighteen thousand dollars (\$18,000.00). We need backup for physical servers and also virtual backup. He recommended going with Volcom. This will take care of the administration building and the justice center. Commissioner Peatross suggested discussing this at next week's staff meeting.

***Confirmation Of Enactment Of Duchesne County Emergency Evacuation Order, Effective June 26, 2012***

Attorney Doherty stated that this is also for informational purposes. The Church Camp Fire escalated to the point where it was appropriate to evacuate 83 cabins. The Fire Marshall experienced a resistant property owner who didn't want to leave, so the county appropriately, per Utah Code, issued this order. The Sheriff executed the order and the property owner complied.

***Consideration Of County Support For Municipalities And Cities Adoption Of Appropriate Firework Restrictions***

Attorney Doherty stated that this has to do with the fact that last Monday, we held an emergency meeting for the Council of Governments. The county announced that they were bound by the Utah Law Fire Restriction Order. We encouraged the cities and towns to follow the restrictive order. Duchesne City adopted the State Fire Restriction Order, but unfortunately a straight adoption of that order was in violation of Utah Code underneath the Utah Fireworks Act. This act specifically provides for citizens right to use and enjoy fireworks on certain days in July throughout the State of Utah. It was not a violation so long as the cities adopted the blanket ban and took the further step by adopting the declaration by the fire official that the conditions were such that there was no safe place. It's restrictive of their rights to enjoy the fireworks and may result in an adverse impact on individual's ability to make a profit through the sale of fireworks. We are very specifically not in any way restricting the sale of fireworks; we are restricting the use. The practical results are that the sales are being diminished.

***Confirmation Of State Of Utah Forestry Land Use Agreement For Use Of Duchesne County Facilities For Incident Command Post For The Church Camp Fire, Effective June 27, 2012***

Attorney Doherty stated there are over five hundred thirty individuals working to suppress and contain the fires. It costs over five hundred thousand dollars a day to try and suppress these fires and she wants people to be aware of this. We are renting county facilities to the State Forestry, Fire, and State Lands. *Commissioner Peatross motioned to ratify the contract with the State Of Utah Forestry Division for the use of the Mickelson Building and adjoining facilities for the purpose of fighting the Church Camp Fire. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

**Consideration of Payment Vouchers**

*Deputy Clerk Auditor Connie Sweat joined the meeting at 9:57 A.M...*

The commission reviewed voucher #121992 dated June 26, 2012, in the amount of two hundred dollars (\$200.00). The commission also reviewed vouchers #121993 through 122031 dated July 02, 2012, in the amount of forty six thousand five hundred seventy nine dollars and sixty six cents (\$46,579.66) as presented by Deputy Clerk Sweat.

*Commissioner Winterton motioned to approve the vouchers as presented by the Clerk Auditor's Office. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

**Tax Adjustment –Assessor**

*Commissioner Winterton motioned to approve the Tax Adjustment as presented by the Clerk Auditor's Office. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

**Consideration Of A Business License Application For Roberts Building**

Deputy Clerk Sweat stated that this business assembles stairways at the applicant's residence and it has been signed by the Building Department and the Planning and Zoning Department. *Commissioner Peatross motioned to approve the business license as presented by the Clerk Auditor's Office. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

**Consideration Of Minutes For Combined Commission Meeting Held June 25, 2012**

*Commissioner Peatross motioned to approve the minutes with the necessary corrections. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

**Closed Meeting -**

*Commissioner Winterton motioned to go into and out of closed session for the purpose of discussing pending or reasonably imminent litigation at 10:20 A.M. Commissioner Peatross seconded the motion. All commissioners voted aye and the motion passed.*

*Reentered Combined Commission Meeting at 10:55 A.M.*

**Closed Meeting -**

*Commissioner Peatross motioned to go into and out of closed session for the purpose of discussing personnel issues at 10:56 A.M. Commissioner Winterton seconded the motion. All commissioners voted aye and the motion passed.*

*Reentered Combined Commission Meeting at 11:21 A.M.*

**Commission Calendaring****Adjourn**

*Chairman Wood adjourned the meeting at 11:44 A.M...*

*Read and approved this 9<sup>th</sup> day of July 2012.*

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Kirk J. Wood

Commission Chairman

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Diane Freston

Clerk/Auditor

*Minutes of meeting prepared by BobbiJo Casper*\_\_\_\_\_